

Message Text

CONFIDENTIAL

PAGE 01 MANILA 13555 031305Z

65 42

ACTION EA-06

INFO OCT-01 SS-14 ISO-00 OMB-01 NSC-05 NSCE-00 INR-05

CIAE-00 DODE-00 H-01 L-01 SP-02 PM-03 SIL-01 TRSE-00

IO-03 /043 W

----- 103502

R 030951Z SEP 76

FM AMEMBASSY MANILA

TO SECSTATE WASHDC 9838

C O N F I D E N T I A L MANILA 13555

LIMDIS

FROM USDEL 235 (DEPT PASS TO APPROPRIATE MILITARY ADDRESSES)

E.O. 11652: GDS

TAGS: MARR, RP

SUBJECT: PHILIPPINE BASE NEGOTIATIONS: OFFICIAL SUMMARY
RECORD 8/31/76

TRANSMITTED BELOW IS THE TEXT OF THE OFFICIAL SUMMARY
RECORD FOR THE PLENARY SESSION OF AUGUST 31, 1976.

QUOTE:

THE PLENARY SESSION RECONVENED AT 10:00 A.M. AFTER
A TEN DAY PERIOD DURING WHICH ONLY THE WORKING GROUPS MET.

AMBASSADOR ROMUALDEZ SUGGESTED THAT IT WOULD BE USEFUL
TO RECEIVE BRIEF ORAL REPORTS FROM THE RESPECTIVE WORKING
GROUPS CONCERNING THEIR ACTIVITIES SINCE THE LAST PLENARY
SESSION. THE HEADS OF THE DIFFERENT WORKING GROUPS THEN
GAVE THE FOLLOWING BRIEF ORAL REPORTS ON THE PROGRESS OF
THEIR DISCUSSIONS.

FACILITIES. SENATOR PELAEZ REPORTED THAT THEIR
DISCUSSIONS DURING THE PAST 10 DAYS WERE FRUITFUL.
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 MANILA 13555 031305Z

HE SAID THAT THEIR GROUP HAD REVIEWED THE DIFFERENT

ISSUES PROVIDING A BETTER UNDERSTANDING OF EACH SIDE'S POSITION AND, ALTHOUGH NO SPECIFIC AGREEMENT HAD BEEN REACHED, THEY HAD EXPLORED AREAS FOR COMPROMISE. MR. GOLDSMITH CONCURRED IN THIS ASSESSMENT NOTING THAT THERE WERE CERTAIN ISSUES WHICH WOULD REQUIRE RESOLUTION AT HIGHER AUTHORITY AND THE REVIEW OF THE PAST 10 DAYS WOULD AID IN THAT EFFORT.

COMMAND AND CONTROL. GENERAL ESPINO REPORTED THAT PROGRESS HAD BEEN MADE OVER THE PAST 10 DAYS IN MERGING WITHIN A SINGLE DRAFT ARTICLE HITHERTO SEPARATE PROVISIONS FOR "ACCESS AND MOVEMENT," OPERATING RIGHTS" AND "CONSTRUCTION". RADM. SHELTON ADDED THAT THE WORKING GROUP HAD ALSO IMPROVED THE LANGUAGE IN SEVERAL OTHER PARAGRAPHS IT HAS BEEN CONSIDERING.

LEGAL. SOLICITOR GENERAL MENDOZA REFERRED TO THE FOUR ARTICLES AGREED IN THE LEGAL GROUP WHICH HAD BEEN APPROVED IN PLENARY. HE NOTED THAT WASHINGTON HAD LATER SUGGESTED CERTAIN CHANGES IN THOSE PROVISIONS (APPLICATION OF PHILIPPINE LAW, CLAIMS, IMMIGRATION, AND EVADING PHILIPPINE JURISDICTION). HE FURTHER REPORTED THAT THE LEGAL GROUP HAD DISCUSSED THESE SUGGESTIONS AND HE UNDERSTOOD THE RESULTS OF THEIR DISCUSSIONS WERE SENT TO WASHINGTON AND THAT REPLY WAS BEING AWAITED. SOLICITOR GENERAL MENDOZA ADDED THAT ON THE ISSUE OF CRIMINAL JURISDICTION, THE RESPECTIVE POSITIONS WERE DISCUSSED BUT AGREEMENT WAS NOT REACHED. LT. COL. BUTLER AGREED WITH THE SOLICITOR GENERAL'S ASSESSMENT.

LABOR. UNDERSECRETARY INCIONG INFORMED THE PANELS THAT THEIR GROUP HAD FURTHER CLARIFIED AREAS OF AGREEMENT AND DISAGREEMENT. MR. SANDBURG AGREED, NOTING THAT IF THE SINGLE MAJOR ISSUE (THE BASE LABOR AGREEMENT) COULD BE SATISFACTORILY RESOLVED, IT SHOULD BE POSSIBLE TO ARRIVE AT AN AGREED PROVISION.

TAXATION. ATTY. TOLEDO REPORTED THAT THEIR GROUP HAD NOT MET SINCE THE LAST PLENARY SESSION SINCE THERE WERE STILL UNRESOLVED ISSUES WHICH COULD NOT BE MERGED AND CONFIDENTIAL

CONFIDENTIAL

PAGE 03 MANILA 13555 031305Z

THERE COULD BE NO FURTHER PROGRESS UNLESS NEW INSTRUCTIONS WERE GIVEN. MAJOR HITT EXPRESSED AGREEMENT WITH THIS ASSESSMENT.

THE GENERAL CONSENSUS OF THE WORKING GROUPS WAS THAT THERE HAD BEEN USEFUL DISCUSSIONS OVER THE PAST TEN DAYS WHICH TENDED TO CLARIFY POSITIONS ON THE VARIOUS ISSUES BUT THAT THERE HAD BEEN LITTLE SUBSTANTIVE PROGRESS BEYOND

THE ISSUES PAPER AND WORKING TEXTS PREPARED ON AUGUST 18.

AFTER THE DIFFERENT GROUPS GAVE THEIR REPORTS ON THE PROGRESS OF THEIR DISCUSSIONS, AMBASSADOR SULLIVAN EXPRESSED HIS APPRECIATION FOR THE COPIES HE HAD RECEIVED OF THE COMPILATION OF THE DRAFT ARTICLES AND THE STATEMENT OF ISSUES.

AMBASSADOR SULLIVAN INFORMED THE PANELS THAT THE AUGUST 18 DOCUMENTS HAD BEEN SENT TO WASHINGTON AND THE RESULT WAS AN OFFER BY SECRETARY KISSINGER AND DEPUTY DEFENSE SECRETARY CLEMENTS TO CONSIDER COMING TO MANILA IN OCTOBER, AFTER THE IMF/IBRD MEETING IN MANILA, TO RESOLVE OUTSTANDING POLITICAL ISSUES AND TO REACH A FINAL AGREEMENT.

AMBASSADOR ROMUALDEZ SAID THAT WHILE SUCH A VISIT WOULD ALWAYS BE WELCOME, HIS GOVERNMENT HAS NOTED THAT FOREIGN SECRETARY ROMULO WILL BE IN NEW YORK IN LATE SEPTEMBER FOR THE UNITED NATIONS GENERAL ASSEMBLY AND THAT HE, AMBASSADOR ROMUALDEZ, WILL BE IN WASHINGTON AT ABOUT THE SAME TIME. THE PHILIPPINE GOVERNMENT HAS SUGGESTED THAT IT WOULD BE USEFUL TO HAVE A "QUIET" PRELIMINARY MEETING WITH SECRETARY KISSINGER AND DEPUTY DEFENSE SECRETARY CLEMENTS AT THAT TIME.

AMBASSADOR SULLIVAN STATED THAT WASHINGTON AGREES IN PRINCIPLE WITH SUCH A MEETING AND THAT IT ONLY REMAINS TO WORK OUT A MUTUALLY CONVENIENT TIME. THE TWO CHAIRMEN AGREED TO MEET AS REQUIRED TO DEVELOP THESE ARRANGEMENTS.

IT WAS FURTHER AGREED THAT THE WORKING GROUPS SHOULD BE PREPARED TO MEET IN THE DAYS AHEAD UPON JOIN CALL OF THE TWO CHAIRMEN.

CONFIDENTIAL

CONFIDENTIAL

PAGE 04 MANILA 13555 031305Z

DURING A BRIEF INTERLUDE IN THIS MEETING, AMBASSADOR ROMUALDEZ AND AMBASSADOR SULLIVAN TOGETHER WITH THE MEMBERS OF BOTH PANELS, PAID A CALL ON GOVERNOR LICAROS AND PRESENTED TO HIM A PLAQUE OF APPRECIATION, THANKING THE CENTRAL BANK FOR THE WARM HOSPITALITY AND FOR THE USE OF THE EXCELLENT CONFERENCE FACILITIES.

BEFORE THE SESSION ADJOURNED, AMBASSADOR ROMUALDEZ EXPRESSED IN BEHALF OF THE RP PANEL, THEIR APPRECIATION TO ALL THOSE WHO HAVE RENDERED SERVICE DURING THE NEGOTIATIONS TO DATE.

AMBASSADOR SULLIVAN LIKEWISE THANKED THE SECRETARIAT AND EXPRESSED HIS APPRECIATION TO THOSE WHO ASSISTED THE

U.S. PANEL DURING THE NEGOTIATIONS UP TO THIS DATE.

THE SESSION ADJOURNED AT 11:45 A.M.

END QUOTE.

SULLIVAN

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MILITARY BASES, MILITARY AGREEMENTS, NEGOTIATIONS, MEETING REPORTS
Control Number: n/a
Copy: SINGLE
Draft Date: 03 SEP 1976
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ElyME
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976MANILA13555
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760335-0400
From: MANILA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760993/aaaadbto.tel
Line Count: 175
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: LIMDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: LIMDIS
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: ElyME
Review Comment: n/a
Review Content Flags:
Review Date: 03 JUN 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <03 JUN 2004 by CunninFX>; APPROVED <29 SEP 2004 by ElyME>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: PHILIPPINE BASE NEGOTIATIONS: OFFICIAL SUMMARY RECORD 8/31/76 TRANSMITTED BELOW IS THE TEXT OF THE OFFICIAL SUMM
TAGS: MARR, RP, US
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006